

The Division of Watershed Management

Direction for 2003

Program Goals

The overarching goals of the Watershed Management Program are: comprehensive water resource management on a watershed basis to ensure “clean and plentiful water” for the residents of New Jersey and their descendants; and the protection and restoration of the integrity of New Jersey’s water resources by preventing, abating and controlling water pollution to achieve the goal of “fishable and swimmable waters” Statewide. However, there is an intimate relationship between the quality and quantity of surface water. Therefore, the Watershed Management Program must manage both the quantity and quality of the State’s water resources, including groundwater, to sustain the water supply needs of the State’s residents and ecology.

The Problem

The failure to aggressively manage the State’s water resources in a comprehensive fashion has increased the susceptibility of both the State’s residents and ecology to the risk of more frequent and severe water shortages. Development in the State has not only increased the water supply demand Statewide, but has also led to increasing non-point source pollution associated with runoff and paved over groundwater recharge areas. These effects are observed as more runoff during storms and less base flow when the rain stops. In essence, our streams are becoming more susceptible to “flash flooding;” behaving more like the arroyos of the desert west than the temperate streams nature intended. Minimum passing flows during dry periods have been steadily declining due to reduced recharge and increased withdrawals. If the trend continues many of the State’s aquatic communities are at significant risk. This trend is also having an adverse effect on the quality of surface waters due to increasing pollutant loads associated with storm events and insufficient flows to dilute point source discharges during dry periods. In the Passaic Basin the situation is so bad that wastewater discharge makes up the majority of the Passaic’s flow during dry summer months. In Cape May the salt water is being drawn ever nearer to water supply wells due to withdrawals exceeding recharge. The challenge ahead is to manage the water resource in holistic fashion to reverse the current trend. This same challenge has been issued by Governor James McGreevey in his “Smart Growth Initiative.”

Recent Action

To achieve this challenge, the Division of Watershed Management must depart from the current planning module, and move toward a standards based management system, wherein results are both tangible and measurable. The first steps in this journey are presently being taken:

- The Division of Watershed Management recently proposed sweeping changes to

the Stormwater Management Rules (N.J.A.C. 7:8), which represent the first step on our journey. When adopted, these Rules will require greater control of non-point source pollution, groundwater recharge and strengthen riparian corridor protection.

- The Department recently proposed upgrading 15 waterways to Category One status due to their water supply and ecological significance, thereby affording greater protection to the quality of those waters.
- The Department has proposed wildlife based water quality criteria that will further the protection of water quality for the benefit of all living creatures.
- The Department has proposed Phase II Municipal Stormwater Regulations that will serve to correct existing impairments and restore water quality.
- The Department has entered into a Memorandum of Agreement with the U. S. Environmental Protection Agency that sets forth an aggressive schedule for the establishment of 159 Total Maximum Daily Loads (TMDLs) for impaired stream segments by July 2003. In keeping with this schedule the Division of Watershed Management recently proposed the first 8 of these TMDLs.
- The Division of Watershed Management recently launched the effort to update the New Jersey Statewide Water Supply Master Plan. This update will attempt substantial improvements to the State's water supply management strategy including requiring wastewater reuse, tougher water conservation measures, the preservation of water supplies to support "Smart Growth" and the establishment of ecologically based minimum flow goals.
- The Division of Watershed Management is engaging the State Department of Agriculture to form a partnership and develop a Comprehensive Reserve Enhancement Program (CREP) that will result in federal funding under the Farm Bill. The program will fund employment of best management practices on New Jersey's farms reducing water quality impacts and increase the number of agricultural acres preserved.

Division Reorganization

While these major initiatives are in process, the Division of Watershed Management will improve consistency among the five watershed regions through a recently completed reorganization based more on functional rather than geographic boundaries. The reorganization has consolidated the five watershed planning regions into two watershed management regions: the north consisting of the Piedmont, Highlands and Ridge and Valley physiographic provinces and the South consisting of the Inner and Outer Coastal Plains. Two new Bureaus have also been created. The first is the Bureau of Environmental Analysis and Restoration, whose primary mission is to develop TMDLs and the technical and scientific basis for decision-making in the Division. The second is

the Bureau of Evaluation and Management, whose primary mission is to ensure that funds are expended consistent with the goals of the Division and to assess our effectiveness.

Two new offices have also been created in the reorganization: the Office of Outreach and Education, whose mission is to meet the education needs of both staff and the public in coordination with the other Bureaus and, the Office of Water Resource Policy and Planning whose responsibility includes formulating policy, effecting Rules to implement water policy, and ensuring consistency throughout the Division.

Several work efforts are ongoing to improve consistency in decision making throughout the Division including: clarification of Executive Order 109 guidance (E.O. 109 sets forth the environmental review requirements for Water Quality Management and Wastewater Management Plan reviews), and the establishment of one set of model ordinances to be used by the Division. The Division is also working on studies of solutions to the water supply issues of the urban northeast and the sand aquifers of the southern parts of the State. In addition the Division is working toward the establishment interim flow goals necessary to ensure the protection of the State's aquatic life.

Future Vision

While these actions are a significant step in the right direction, more work remains to be completed. The Water Quality Management Planning Rules (N.J.A.C. 7:15) are a potential centerpiece of the Department's implementation of the Governor's "Smart Growth Initiative." Therefore, the Division of Watershed Management will completely overhaul these Rules to: provide clearer direction in the expenditure of funds, recapture the regulation of septic systems, establish ecological based flow goals, restrict consumptive and depletive water uses, protect critical habitats and riparian corridors, implement source water protection and TMDL implementation plans, and to encourage water and wastewater infrastructure improvements consistent with the principles of "Smart Growth."

The Role of Local Partners

These changes necessitate changes in the Division's local partnerships as well. The Division recognizes the important relationships that the Watershed Management Areas have built among the stakeholders in their respective watersheds, and the value of those relationships in effecting real change at the local level. Consequently, we will not abandon the established WMA process. However, while the Department's standards based approach to Watershed Management and its Response to the Governor's "Smart Growth Initiative" is being developed, the focus of those groups must change as well. During this interim period, the Division will focus its financial resources to achieve tangible and measurable water quality protection and enhancement. The Division encourages its local partners to focus their efforts in the following areas:

- Identification and documentation of the State's critical water resources for

consideration as candidates for Category One designation or other special protection measures;

- Source assessments for non-point source pollutants of concern for development of TMDLs, assist in the development of implementation plans designed to reduce the pollutant loads associated with those sources and assist in effecting those plans;
- Assist in the adoption of protective ordinances at the local level including ordinances designed to implement the Stormwater Rules, groundwater recharge, riparian corridor protection, water use restrictions and wellhead / source water protection;
- Assist municipalities in meeting their obligations under the Phase II Municipal Stormwater NJPDES Permit program, and
- Identify specific “action now” water quality improvement projects, and where possible consolidate efforts to address all problems on a specific stream segment to actualize real and measurable water quality improvements.

In the future, once the regulatory and policy mechanisms for implementing the Governor’s “Smart Growth Initiative” have been fully developed, the Division will look to the WMAs to liaison with local governments to promote consistency of purpose among all levels of government. Clearly, the Division looks forward to continuing its relationship with the WMAs as we seek to achieve our common purpose of “clean and plentiful water.”

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